

## Implementation of the ‘Return to School’ Policy for Teenage Mothers in Kenya: A Rights-Based Perspective

Meshack Nzesei Mutua<sup>1\*</sup>, Janet Muthoni Miriti<sup>1</sup>, Shiro Mogeni<sup>2</sup>

<sup>1</sup>University College London, UK

<sup>2</sup>Mount Kenya University, Kenya

**\*Corresponding Author:** Meshack Nzesei Mutua, University College London, UK

**Abstract:** Despite the Kenyan government adopting the return to school policy for teenage mothers in 1994, little is known about its effectiveness besides lack of reliable data. This research aimed at assessing the extent to which the policy has been implemented in Kenyan schools. The study utilised qualitative approach, specifically individual interviews and focus group discussions with various education stakeholders. The study found out that the return to school policy does not comprehensively protect the right to and within education for teenage mothers. Although there is provision for unconditional readmission, it does not provide for compensation of the lost time; making it hard for the teenage mothers to catch up with the rest of the students. In addition, while teenage mothers drop out of school to give birth and take up care work, the teenage fathers remain in school thus reinforcing social roles that disproportionately burden women. While there are schools that have opened their doors to teenage mothers, others continue to discriminate young mothers by (re)admitting them based on academic or extra-curricular abilities. In terms of gaps, the research found that the policy has not been aligned to other existing policy frameworks and no accountability mechanism. A multi-faceted approach and coordinated efforts among stakeholders are needed to effectively protect right to and within education for teenage mothers.

**Keywords:** rights-based approach, teenage pregnancy

### 1. INTRODUCTION

Globally, teenage pregnancy remains a great threat to girls’ education since it mostly culminates in drop out and marriage; with the problem being graver in low income countries (UNFPA, 2013). With high rates of teenage pregnancies in the Sub-Saharan Africa coupled with ineffective policies (Population Council, 2015), adolescent mothers find it hard to go back to school after giving birth and continue their education. Inability to complete education diminishes their chances of engaging in meaningful employment in their adulthood and ultimately achieving socio-economic freedom (Wekesa, 2010; Undie et al., 2015).

According to the Kenya Demographic Health Survey (2014), teenage pregnancy and motherhood has remained a major health and social concern because of its association with higher morbidity and mortality for both the mother and the child. It also has other adverse social consequences, particularly for female educational attainment, as teenage mothers are more likely to curtail education compared to non-pregnant girls and teenage fathers (Undie et al., 2015). There is overwhelming evidence indicating that teenage pregnancy is the leading cause of school dropout by girls not only in Kenya (Ferguson, 1989; Morara&Chemwei, 2013; Barmao-Kiptanui et al., 2015; Kimemia&Mugambi, 2016; etc.) but also across the globe (Gyan, 2013; Rosenberg et al., 2015; Shahidul & Karim, 2015; Sandoy et al., 2016, etc.). In 2013, UNFPA estimated that nearly 13,000 girls were dropping out of school due to pregnancy each year. The relationship between teenage pregnancy and school dropout has arguably been influenced by girls’ socio-cultural backgrounds, awareness/knowledge levels of sexual and reproductive health issues, psychosocial and family support to pregnant girls and lactating teenage mothers (Wekesa, 2010; Karimi, 2015).

With the recognition of teenage pregnancy as both individual and national challenge, due to its related socio-economic costs, the Kenyan government formulated the ‘return to school’ policy for teenage mothers in 1994. The policy was developed and adopted in order to ensure that more girls can enrol,

stay on and complete education at both primary and secondary school levels. The ‘return to school’ policy for teenage mothers provides for the teenage mother to be allowed, after delivery, to go back or be given support to gain admission into another secondary school if she feels there are issues of stigma and discrimination (Birungi et al., 2015). The policy also provides that the teenage mothers and their parents should receive counselling (*ibid*). Despite the policy provisions, past quantitative (Mbugua, 2013; Wekesa, 2014; Mwenje&Kessio, 2015; Undie et al., 2015) and qualitative (Omwancha, 2012) research studies conducted in several counties in Kenya (Kiambu, Nakuru, Homa Bay, Bungoma and Migori) have shown that education stakeholders and consumers are not aware of the policy and its provisions besides the inconsistencies cited in its implementation. For instance, in their quantitative study carried out in Homa Bay County, Undie et al. (2015) established that teenage mothers continue to be locked out of education and schooling as indicated by 66 per cent of out-of-school girls in the county.

In order to understand the utility of the policy and the current situation in areas where high cases of teenage pregnancy and childbearing are reported, we intentionally selected Narok County, out of the 47 counties in Kenya. According to the Kenya Demographic Health Survey (2014), Narok County had the highest teenage pregnancy rates of 33 per cent compared to Murang’a County – ranked the lowest – with 6 per cent. Having implemented several initiatives aimed at promoting education for teenage mothers in the country, we discovered that, although studies on the assessment of the return to school policy had been conducted in several counties in Kenya, for instance, Homabay and Kilifi (Population Council, 2015), there was no known or available study that had been conducted in Narok, despite leading in teenage pregnancy in the country. Notably, most of existing studies had utilised quantitative methods which have not been effective in presenting detailed accounts and experiences of teenage girls and boys and other stakeholders regarding the policy implementation.

### **1.1. Aim and Overarching Research Questions**

This research aimed to establish the extent to which the ‘return to school’ policy has been implemented in Kenyan secondary schools. It sought to answer three overarching questions:

- To what extent does the policy and its provisions at national level support the rights of pregnant/mothering young women?
- To what extent has the policy been implemented in Narok County?
- What are the existing gaps and needs of adolescents and other stakeholders in relation to the implementation of the policy?

## **2. LITERATURE REVIEW**

### **2.1. Why Bother about Girls’ Education?**

Globally, “girls’ education is currently addressed under Sustainable Development Goal (SDG) 4 - which calls for access to quality education and lifelong learning for all - and SDG number 5, which focuses on achieving gender equality and empowerment of all women and girls” (World Bank, 2018: 9). Promoting girls’ education is also arguably a prerequisite to the achievement of other SDGs, including but not limited to, empowerment (Goal 5), health (Goal 3), water, sanitation and hygiene (Goal 6) and work and economic growth (Goal 8).

A review conducted by the World Bank involving African and South Asian countries established that girls face double exclusion for schooling; first because they are girls and secondly because of poverty (World Bank, 2018). In this study, the World Bank estimated that 62 million girls were out of school in 2017; with 50 per cent being adolescents. The study highlights that, in low income countries, only 25 per cent of the poorest girls complete primary education. In 2013, UNESCO – in its Global Monitoring Report – estimated that there were 31 million girls of primary school age who were out of school. In addition, 34 million adolescent girls were out of school at the lower secondary school level. A 2018 World Bank’s Factsheet highlights that Sub-Saharan Africa had 1.8 million adolescent girls out of school (at lower secondary school level), second to South Asia with 12.6 million out-of-school girls in 2012. These statistics point out a dire situation where girls greatly miss out an opportunity to acquire vital skills that can guarantee meaningful employment thus rendering them vulnerable to poverty.

Available literature (Ray, 1999; Senanayake, 2011; UNICEF, 2017) indicates a relationship between girls’ educational progress and the societal progress and development. Notably, UNICEF (2017) estimates that each extra year spent by a girl in secondary school level subsequently increases their wage by 15 to 25 per cent at adult life compared to 10 to 20 per cent increase for girls who spends extra year in primary schooling. Besides the individual gains, there are also societal gains whenever women engage in meaningful labour or employment. For instance, existing literature (World Bank, 2016; Wodon et al., 2018) indicate that women’s participation in the labour market can substantially reduce the poverty rates. For instance, in Latin America, a 15 per cent rise of women participation in the labour market reduced the poverty rate by 30 per cent (World Bank, 2016).

## **2.2. Teenage Pregnancy**

The United Nations Population Fund (2013) estimates that every day, 20,000 girls below age 18 give birth in developing countries. Notably, most of the world’s births to adolescents – 95 per cent – occur in developing countries, and nine in 10 of these births occur within marriage or a union (UNFPA, 2013). According to the report, about 19 per cent of young women in developing countries become pregnant before age 18. In addition, girls under 15 accounts for 2 million of the 7.3 million births that occur to adolescent girls under 18 every year in developing countries (UNFPA, 2013). According to WHO (2018:9), “approximately 16 million girls aged 15 to 19 years and 2.5 million girls under 16 years give birth each year in developing regions while an estimated 21 million girls aged 15 to 19 years and 2 million girls aged under 15 years become pregnant”. According to UNICEF (2018:11), “the highest proportions of early childbearing are found in sub-Saharan Africa, where birth rates among adolescents reach over 200 births per 1000 girls age 15–19, compared to lower rates in other regions”.

According to the 2014 Kenya Demographic Health Survey report, pregnancy and motherhood rates stood at 18 per cent among adolescents (those aged between 15 and 19 years); meaning that about 1 in every 5 adolescent girls has either had a live birth or is pregnant with her first child. Although the rate is lower among 15-year old (3 per cent), the rate increases exponentially to 40 per cent among 19-year old. However, these rates vary from one county to another; with Narok County recording the highest rates (33 per cent) than Murang’a County which records the lowest (6 per cent). According to the report, Kenya’s adolescent birth rate stands at 96 per 1,000 women. In addition, 15 per cent of all adolescent women have already given birth while 3 per cent are pregnant with their first child. Notably, almost 60 per cent of all unmarried, sexually-active adolescent girls are not using any birth control method thus keeping the fertility rate so high.

Available literature (Maclead, 1999; McCulloch, 2001; Domenica & Jones, 2007; Langille, 2007; Mothiba, Maputle & Maria, 2012; UNFPA, 2013; Mushwana et al., 2015) has shown that different factors – acting singly or collectively – lead to teenage pregnancy. Using a systematic review data, Langille (2007:1601) points out that these factors “operate at the individual level (e.g., knowledge, attitudes and beliefs, future expectations, substance use), the intrafamilial level (e.g., family structure, parent– child communication, socioeconomic status), the extrafamilial level (e.g., peer influences, sexual health education at school, health services) and the community level (e.g., norms and values concerning teenage pregnancy).”

A qualitative study carried out by Oruko et al. (2013) in Western region in Kenya found out that poverty, coercive sexual relationships and inequitable school environments collude to lower chances of girls completing their secondary education. Using a qualitative approach, the researchers established that lack of essential resources by school-going girls drive them to engage in sex with their boyfriends or men in order to obtain them. Whilst this might improve their school life in the short term, Oruko et al. (2015) contend that it exposes them to pregnancy, among other risks like STIs. In their contention, they simply put that “pregnancy among school girls is a consequence of poverty through the mechanism of transactional sex” (p.7). Though their study does not establish a causal-effect relationship, given that it employed a qualitative approach, it unearths important experiences of teenage girls that can help in addressing teenage pregnancy. Through sustained government and parental support, girls and teenage mothers can get the essential resources they need in school thus, feasibly, eliminating cases of transactional sex and increase the chances of teenage mothers’ completing education.

While poverty might be the primary cause of the teenagers engaging in transactional sex in the Kenyan context (Mchunu et al., 2012; Oruko et al., 2015; Parnarouskisa et al. 2017), the gendered power imbalance between men and women in the Kenya – where men are seen as providers and women as beneficiaries – exacerbates the situation. The tendency by men to use resources including money as the bait or power to manipulate and lure young women or school girls into sex (Oruko et al., 2015) can arguably be viewed as a form of violence meted against young women. In their study, Oruko et al. (2015) argue that as a social norm, girls are increasingly dependent on boys/men for monetary support to meet their personal or academic needs. In fact, some of the parents are in support of this dependency and usually encourage their daughters' relating with their boyfriends/men as a way of reducing the economic burden Oruko et al. (2015), but oblivious of the consequences. In this case, the power imbalance between men and women lead to sexual manipulation and exploitation. Given that the power imbalance is socially sanctioned since culturally men are known to provide especially in the African society (Jewkes et al., 2012; Chauke&Khunou, 2014), women remain oppressed making it difficult to ultimately achieve gender equality. It is therefore important to put in place policies that promote education for teenage mothers and that seek to ultimately address gender inequalities in education.

### **2.3. The Return to School Policy in Kenya**

Despite the provisions of the return to school policy, issues have been raised regarding the implementation in previous studies. For instance, research has shown low levels of awareness of the policy among stakeholders including teachers, school administrators, parents and schoolgirls (Macharia &Kessio, 2015; Birungi et al., 2015), high level of stigmatization and social exclusion within the school environment (Omwancha, 2013; Onyango, Kioli&Nyambedha, 2015), denial of readmission of teenage mother (Birungi et al., 2015), low parental involvement and support (Wekesa, 2014; Sulo, Nyang'au&Chang'ach, 2014; Karimi, 2015), lack of enough resources to implement the policy (Mwenje, 2015), and inconsistencies in terms of implementation (Omwancha, 2013). These studies are examined in detail in the next paragraphs.

A study carried out by Macharia and Kessio (2015) established that about half of the surveyed students were not aware of the policy. In order to ensure effective implementation, relevant stakeholders should be aware of and have understanding of the re-entry policy and its provisions, otherwise, how can they purport to implement a policy they are not even aware of? Although the findings of their study cannot be generalised to the entire student population in Kenya since the sample was not probabilistically selected and representative, observations made by Macharia &Kessio (2015) and the need to scale up awareness campaigns on the return to school policy at the national level and foster discourses in schools in regard to teenage motherhood have also been highlighted by other researchers such as Omwancha (2013), Sulo, Nyang'au and Chang'ach (2014), Karimi, 2015 and Onyango, Kioli and Nyambedha (2015).

In terms of readmission practice, some school administrators including head teachers have been sceptical about readmitting young mothers or letting pregnant girls stay on in school because, as Birungi et al., (2015) found out, it taints the school's image and promotes promiscuity among other school girls. By embracing strictness, school administrators believe that it keeps the girls' behaviour in check and subsequently shape the school norms. According to Mollborn et al. (2014), school-level social norms can significantly reduce the likelihood of girls becoming pregnant. Although they did not establish a causal – effect relationship, based on their findings they concluded that schools with strong norms against teenage pregnancy are likely to record few or zero cases of teenage pregnancy, and recommended the need to take into account the school environment when programming or making policies to address the challenge of teenage pregnancy and motherhood. In order to address this gap, the present research explored the experiences of the stakeholders at school-level in order to understand how school norms can influence teenage pregnancy or lack thereof and, provide an enabling environment where teenage mothers can thrive academically.

A study carried out by Omwancha (2012) revealed that there are conflicting views as to the value, nature and implementation of the return to school policy. Using qualitative method, Omwancha established that various factors ranging from individual opinions and beliefs, to socio-cultural issues such as poverty, early marriage, hindered young mothers from returning to school in Kuria District in

Kenya. At the individual or school level, school administrators allow their personal feelings determine how they should treat the young mothers and judgment of their behaviour. According to Undie et al. (2015), school administrators are more likely to readmit young mothers if they show remorse for their actions, and "if they were known to be well-behaved, showed academic promise, or were particularly talented in some area" (p.4).

In their research, Undie et al. (2015) noted a concern raised by school administrators about repeat pregnancies among teenage mothers which demonstrated the complexity of the teenage pregnancy and motherhood problem and the challenge facing the education sector in responding to the same. Using qualitative method, their research involved interviewing the head teachers, among other stakeholders, about the responsiveness of the return to school policy. Their findings indicated that some of the school principals were not positive about the implementation of the policy citing inadequacies by schools to meet the needs (such as dietary) of the young mothers and most importantly the risk of having multiple pregnancies by the teen mothers. Notably, the attitudes/beliefs of the school heads that "attempt to promote the re-entry policy would be futile since many re-entering girls (who initially left school due to unintended pregnancy) ended up having multiple pregnancies" (Undie et al. (2015:3) should raise a concern not only over the implementation of the policy, but also the responsiveness of the policy itself.

Research conducted by Karimi (2015) revealed that teenage mothers' education was largely at the mercy of their parents, and specifically their fathers. According to her, if the parents want to marry off their daughter, they will use her pregnancy as an excuse to do so; a finding that is consistent with that of Pricilah et al. (2014) and Wekesa (2014). However, Karimi (2015) notes that for young mothers who are academically promising, most parents are motivated to support her pursue her education while Sulo, Nyang'au and Chang'ach (2014) contend that young mothers' willingness to return to school is also a great determinant factor. The present research sought to determine the extent of parental support and how it influenced the teenage mothers' access to education. In addition, the researchers explored whether there are preferences by parents based on the academic abilities of their daughters.

A study conducted by Onyango, Kioli and Nyambedha (2015) established that stigmatization of teenage mothers affects their general wellbeing and even participation in classroom work and learning. Given the societal view that girls who get pregnant and or end up being young mothers have defied the norms and are immoral (Undie et al., 2015), they are usually stigmatised for engaging in sex which is culturally and morally perceived to be reserved for married people. Consequently, young mothers who return to school after giving birth are seen as disgrace to the community making them feel out of place (Onyango, Kioli and Nyambedha, 2015). Worse still, no teacher or student is willing to help the teenage mothers cover what they missed while they were away from school, something that makes them feel more excluded. In their study, Onyango, Kioli and Nyambedha (2015) concluded that the "main socio-cultural factors influencing the re-entry of schoolgirl mothers included gendered customary practices such as patriarchy, gender preference, early marriage as well as widespread poverty in the area" (p.43). In her study, Mwenje (2015) argued that schools were typically a social environment where parents, teachers and students excluded teenage mothers because of their inability to 'maintain chastity' thus forcing them to withdraw and remain passive in class.

Although a quantitative study carried out by Wanyama and Simatwa (2011) in Emuhaya District found out that parents actively supported their daughters to go back to school after delivery, generally there seems to be a consensus (based on the available evidence for instance, Omwancha, 2013; Kato, 2015; Karimi, 2015, etc.) that the design and implementation of the policy is characterised by loopholes, challenges and inconsistencies. As a way of strengthening this policy and to sustainably address the problem of teenage pregnancy and motherhood, Kato (2015) recommended that the ministry should not only create awareness on the policy and its provisions, but it should also enforce and monitor its implementation. In addition, there is need to harmonise the re-entry policy with the other existing and related policies such as the National School Health Policy of 2009 and the National Adolescent Sexual and Reproductive Health Policy of 2015 with the aim of addressing the root causes of teenage pregnancy. "Creation of clear partnerships between public health facilities and schools to promote effective utilization of Youth Friendly Reproductive Health Services, sensitization of parents on their roles, monitoring of poor academic performers at school and legal prosecution of teachers

found harassing school girls” (Kato, 2015:69) can also promote education access by the pregnant teenagers and young mothers.

#### **2.4. Theoretical Framework**

This research primarily utilised the human rights-based approach and integrated a feminist perspective to examine teenage mothers’ access to education in Narok County. It specifically explored, in line with Flax’s (1987) ideas, power differentials between men and women, how the power differentials breed discrimination against teenage mothers in schools and the society (at large) and how to overcome the same. Ellis-Sloan (2014) contend that feminism is concerned with women’s lives and gendered power relations. The feminist theory helped to unpack various concepts such as equal opportunities for boys and girls in education, socialization and sex stereotyping, sex discrimination, reproduction of gender and social division, patriarchy and sexual politics in schools (Yokozaki, 2012). For instance, relegation of childcare and care work to teenage mothers – leaving out the young fathers – as theorized in gender brings the connotation about gender and femininity, and according to Thompson (2003), it risks contributing to patterns of educational exclusions.

The researchers specifically embraced the principles of participation and inclusion, non-discrimination and equality and accountability as described by previous scholars (Gruskin et al., 2010; Sotonye-Frank, 2015; Becker et al., 2015; Rozas& Garran, 2016; Hagenars, 2016). Participation, according to Sotonye-Frank (2015:19) is realized when the “right holders, parents and local communities and other stakeholders are actively involved in educational outcomes for children. In fact, Broberg and Sano (2017) contend that the decision-making process regarding should be centred on the rights holders (in this case teenage mothers). The non-discrimination principle ensures that no one is denied their rights to education (Becker, Wet & Vollenhoven, 2015; Sotonye-Frank, 2015) regardless of their sex, religion, colour, marital status, disability, etc. According to Sotonye-Frank (2015:19), non-discrimination and equality “implies that laws, policies and programs should not be discriminatory, and also that public authorities should not apply or enforce laws, policies and programs in a discriminatory or arbitrary manner”. Accountability has been defined by Sotonye-Frank (2015) as the obligation of power holders to take responsibility for their actions. According to her, power holders are primarily the government, which are also the primary duty bearers, and therefore it is imperative for the “primary duty bearers, the government, and other relevant stakeholders to proactively and cooperatively establish and apply standards, indicators, tools and systems of monitoring, measuring and evaluation to fulfil their obligations and commitment to protect children from violations of their rights” (Sotonye-Frank, 2015:20).

### **3. METHODOLOGY**

The research utilised a case study design. We specifically employed qualitative methods to collect data from various targeted participants. The research intentionally focused on Narok County. We used our existing contacts with the Afya Africa (an NGO supporting teenage mothers) in Narok County to identify and focus on two secondary schools; one where the implementation of the return to school policy has been effective (School A) and another where the implementation has not been effective (School B). In this case, effectiveness was examined in terms of number of teenage mothers who had returned or had been readmitted in a specific school compared to the number that got pregnant within a period of six months or one year prior to the study.

In terms of research participants, we purposively sampled 24 students from each school (aged between 13 and 19) to participate in three focus groups (1 group comprised of 8 boys; 1 group comprised of 8 non-pregnant girls; 1 group comprised of 8 pregnant and mothering young women). Focus group discussions with the boys and non-pregnant teenage girls provided their experiences in terms of how they socialise with their peers who are pregnant or lactating mothers while interviews with head teachers, guidance/counselling teachers and parents yielded information on how they facilitate/provide a supportive environment, and directly or indirectly and singly or collectively address or reinforce gender and social inequalities within and outside the school environment.

For in-depth interviews, we sampled the Principal/ Head teacher (1), Guidance and Counselling teacher (1) and the head of the Parents-Teacher Association (1) in each of the two target schools thus totalling to 27 study participants (for both in-depth interviews and focus groups) in each school. We

also purposively interviewed one (1) County Education official and two (2) representatives from the two non-governmental organizations that have implemented interventions on teenage pregnancy in Narok (Afya Africa and Centre for Health Solutions – Kenya). At the national level, we interviewed 4 key individuals with representation from the Ministry of Education (1), the Centre for Reproductive Rights (1), Population Council (1) and United Nations Population Fund (1). These agencies have undertaken huge initiatives around teenage pregnancy both at the national level and in selected counties in Kenya, and highlighted trends in teenage pregnancy based on the research and monitoring and evaluation data that they had gathered over time.

Framework analysis method was used to analyse both the FGD and the individual interview data; generally taking social constructivism as the epistemological orientation. The analysis followed key steps: transcription, coding, categorisation, charting and mapping the connections between categories and exploring relationships and/or causality. Report of the findings involved presenting a summary of the key ideas and supported the same using direct quotes.

#### **4. RESULTS**

##### **4.1. Responsiveness to Teenage Mothers’ Rights to Education**

An analysis of the return to school document revealed that the policy provides for teenage girls who become pregnant to be admitted back to school unconditionally or be admitted to a different school if there are issues of stigma in their former schools. The unconditional (re)admission of teenage mothers seeks to eliminate discrimination and inequality. It particularly ensures that teenage mothers from different socio-economic, age, ethnicity and possessing different academic abilities are (re)admitted to school; thus, adhering to the HRBA principle of non-discrimination and equality. Although the HRBA approach entails participation and inclusion and building the capacities of the rights holders to claim them (Becker et al., 2015), the return to school policy does not seem to focus on right holders (teenage mothers) as claimants; rather as victims. In fact, all relevant stakeholders in the education circle have a responsibility to play towards promoting education for the teenage mothers in line with the policy, but the policy does not highlight how the teenage mothers can claim their right to education in case it is violated. Although the return to school policy provides for unconditional (re)admission, it does not address the education barriers faced by pregnant girls and young mothers beyond access. While admission has to do with access (right *to* education), the policy does not speak to other issues affecting their ability to learn including the quality of the education and respect within the learning environment (right *within* education).

Analysis of the policy has also revealed some vague provisions which are subject to disparate interpretation and implementation. For instance, the policy, provides that head teachers and other teachers should be understanding when handling cases of teenage mothers (CSA, 2008). The policy does not, however, explicitly describe what it means by “understanding” or what constitutes it; thus, it can be interpreted disparately by different people. This obviously makes it difficult for the government to hold the head teachers and teachers accountable since it is not clear what is required of them.

In addition, the policy provides that legal action should be taken against adults who impregnate teenage girls while boys should be counselled so that they can take responsibility for their actions (CSA, 2008). Although the policy is clear about the legal consequences to be faced by adults, it does not clearly spell out the ‘responsibility’ to be taken by the baby fathers. It appears that the policy has simply taken care work as a ‘female’ job since the baby fathers are not included in parenthood. This means that while the teenage mothers will drop out of school to deliver and take care of their babies, the teenage fathers will likely remain in school, potentially reinforcing gender inequality.

The policy further provides that the teenage mothers and other girls in the school should be counselled on consequences of irresponsible sexual behaviour, adolescent sexuality, boy/girl relationships, negative peer influences, building self-confidence and self-esteem. Counselling alone cannot comprehensively address the diverse factors that influence teenage pregnancy, and as Langille (2007) suggest, it must be accompanied with other measures such as sexual health education at school and health services, and societal norms and values. In addition, the provision on counselling leaves out the teenage fathers and other boys in school; making it look like only girls should be mindful of their

sexual behaviour and sexuality. By being left out, the teenage fathers (men) are likely to feel that teenage pregnancy and parenthood solely lies with the teenage mothers (women) consequently reinforcing social roles which lead to overburdening of women.

In the analysis, the researchers found out that there is no comprehensive accountability framework which outlines the duty bearers’ responsibilities and how the impact would be measured. In terms of the implementation structures, the policy provides that the District and Municipal Education Offices should assist in the readmission of teenage mothers; though they have since been replaced with County and Sub-county education offices. In addition, as primary duty bearers, the government has not developed and applied standards and guidelines, indicators, tools and systems of monitoring, measuring and evaluation to fulfil their obligations and commitment to protect the right to education for the teenage mothers; according to Sotonye-Frank (2016), this is a crucial HRBA principle that can help determine whether or not the efforts of various duty bearers are actually protecting the rights holders.

In summary, although the policy supports the young mothers’ right to education in terms of access, there are loopholes in the way the policy has been designed. There is need, therefore, to revise the policy to ensure that it addresses those loopholes so that it fully guarantees the right to and within education for the teenage mothers and, by extension, address gender inequalities.

#### **4.2. Stakeholders’ Awareness of the Policy**

The research established that all the students in both School A and B were neither aware of the policy existence nor its provisions. But based on incidences where some of their classmates have been able to return to school after delivery, they knew that it was possible for young mothers to get readmitted. Other stakeholders including teachers, head teachers, County Education officials, and representatives from the NGO and Ministry of Education officials had heard of or knew about the policy. Some of the participants said;

“Personally, I don’t know, and I have not heard anything.” – Girls’ FGD

“I have no idea. I have not heard about the policy.” – Boys’ FGD

“Yes, I am [aware]. In the last two years, I have implemented a programme on the ‘return to school’ policy for teenage mothers in Homa Bay County in Western Kenya.” – NGO Representative

Although all the stakeholders, apart from the students in both schools, had at least heard or knew about the policy and some of its provisions, not any one of them had seen the policy document. Lack of the physical document was identified as a challenge faced by the stakeholders, not only in Narok County, but also at the national level. This obviously affects accountability – a principles of HRBA – since the government has not disseminated the policy to the implementers.

“I became a head teacher in 2003, but I have never seen the document. As head teachers we discuss these issues, but we don’t have the policy itself to guide us.” –Head teacher, School A

During the fieldwork, the researchers asked for a copy of the policy document in all the targeted institutions including the two schools visited, the County Education and the Ministry of Education offices; but none had a copy of it. In fact, the researchers accessed a copy of the document from the Kenya Archives which houses all past historical documents and government files. Lack of the policy document can potentially affect the commitment by the stakeholders; leading to inconsistencies in terms of the implementation and accountability. Government, through the Ministry of Education, enforces the policy implementation at all levels in coordination with the county governments, however, it cannot effectively hold the implementers accountable if they do not have the policy and the policy guidelines thus affecting the enforcement of the right to education for teenage mothers.

#### **4.3. Support from School Administration**

The research established that lack of support and buy-in from school administration including the head teachers and the Board of Management has crippled the implementation of the policy. Given that they are key decision makers [though not ultimate] on whether to readmit teenage mothers, they can greatly influence and determine how effective the policy implementation can be. One of the NGO



representative interviewed pointed out that in School B administrators hide behind ‘lack of vacancies for students’ in their schools in order to avoid (re)admitting teenage mothers;

“We need to get buy in from the Principals and Head teachers and school BOM [Board of Management] who determine a lot whether or not a teenage mother will be readmitted to their school. If the school administration tells you that there is no vacancy for extra student(s), you can only sympathise and go look for admission elsewhere. Some school administrators will tell you that there is no vacancy because they cannot openly tell you that they cannot admit a teen mother. It’s a complex issue.” - NGO Representative

The policy provides that girls who become pregnant should be admitted back to school unconditionally, but interviews with representatives of NGOs based in Narok County established that school administration has preference for high academic achievers and those who excel in extra-curricular activities. The argument by the school administrators has been that the young mothers should have some value to the school, either by helping to improve the school mean score (academically) or placing the school in the sports limelight (extra-curricular). This discrimination leads to deprivation of education to some teen mothers and hence a violation of their rights to education. This was confirmed by one of the Guidance and Counselling teachers;

“I won’t deny that. Sometimes, the school looks at the strengths of the student [young mother] before she can be readmitted. If the student will come to pull our mean score down or maybe she cannot perform well in extra-curricular activities, we have to rethink.” – Guidance and Counselling teacher, School B

In school B, the students were even able to identify that high academic achievers are usually accorded the necessary support towards their education. Although there were only two young mothers (high achievers) in School B, this can be interpreted to mean that a poor academic performer might not be treated as such given the response (above quote) by guidance and counselling teacher in the school. Although the present research did not record the “contamination” narrative where young mothers are feared for promoting bad behaviour among other girls in school, as Birungi et al., (2015) found out in their study, the refusal to (re)admit them was a deprivation of their right to education. The finding that some head teachers consider the academic and extra-curricular abilities of the young mothers to decide whether or not to readmit them is consistent with that of Undie et al. (2015). This discrimination means that teenage mothers who are not good in academics or extra-curricular activities will not acquire education; contrary to what the policy and the Kenyan Constitution provide. In addition, given that this discrimination only affects teenage mothers and not teenage fathers, it is likely to reinforce gender inequality by punishing the female only.

#### **4.4. Parental Support**

Interviews with the teachers established that parents play a critical role in ensuring that young mothers return to school after delivery. The interviewed stakeholders generally agreed that parents wield more power than any other stakeholder in promoting education for the young mother; provided the parent(s) are supportive of their daughter’s return to school, no obstacle can stop them. Notably, if they also want their daughter not to continue with education, they will find reasons and excuses not to, including depriving her the necessary support.

“Some parents will bring their daughters back to school but mostly if they [girls] are promising [academically]. If they are not [promising], then they are married off and if we follow up we will be told that she eloped, and no one knows where she is.” – Guidance and Counselling Teacher, School A

Discussions with the girls and boys established that most of the teenage mothers who manage to return to school after giving birth come from well-to-do families and their parents have attained higher academic qualifications. For the teenage mothers to return to school, they must get childcare support from their parents, if the baby father (in cases of adults) has not taken responsibility. This would involve for instance getting a nanny and meeting all other needs of the baby and their schooling daughter; something that can be deemed as an additional economic burden by the poor parents. Further, it was also established that parents who do not support their daughters to go back to school

mostly hold to “old-fashioned” and cultural belief that the girl ‘amevunjakalamu’ (has broken the pen), figuratively meaning that she has terminated her own education. One of the stakeholders said;

“Most of them [parents who do not support their daughters] are poor and do not value education because themselves have not acquired one. It’s about returns for them. They have a ‘better’ option of marrying their daughter off and get dowry payment which is usually in dozens of cattle rather than taking her back to school.” – NGO Representative

The deeply entrenched cultural norms and differentiation of social roles (between boys and girls) in the Maasai community has negatively affected the implementation of the policy. Discussions with girls revealed that the community expects a lot from them in terms of performing domestic chores and care work at home which sometime disproportionately affect their ability to complete homework and concentrate in studies compared to their male peers. Consistent with Parsitau’s (2017) argument, this adversely affects their academic performance characterised by poor performance in school-based and national examinations.

“...they are really overwhelmed by duties at home. They cannot complete their assignments or concentrate in their personal studies which affect their performance in exams.” – Girl FGD

“The culture does not allow for girls to delegate domestic duties to their brothers. Only parents can do. So, if the parents have given her duties, she will have to complete them before she can sit and study. By the time she completes her duties, she’s extremely tired and she needs rest. The next day is the same!” – NGO Representative

Although the researchers did not talk to the parents of the teenage mothers, the teenage mothers who participated in the focus group discussions intimated that their parents were never counselled; this was also corroborated by information received from the teachers and head teachers. The school administration usually summons the parents to inform them of the pregnancy, but psychosocial support is not provided to them although the policy provides for it. This probably could be the reason why most parents hardly reconcile with their daughters after they become pregnant or deliver. Some of the respondents said:

“...I have never seen a parent get counselled here. What we do is that we support their daughters who might be emotionally and psychologically unstable during that time. I think we have assumed a lot that parents know how to handle their situations.” – Head teacher, School B

The findings of this research reveal that lack of parental support greatly affects the implementation of the re-entry policy in secondary schools in Narok County. Consistent with Birungi et al. (2015), discussions with the teenage mothers in this study generally established that their education is significantly hindered by lack or limited financial resources and the overwhelming child care responsibilities; an area that parents can play a crucial role. However, as Sulo, Nyang’au and Chang’ach (2014) found out in their study, some of the parents especially those who have low education attainment and socio-economic status were reportedly inclined towards marrying their daughters off since they had “broken their pens” literally translated to mean that they have terminated their own education. Notably, for some parents, they would consider taking their daughter back to school particularly if she is a high academic achiever, a finding that is consistent with Karimi (2015).

Also, the researchers found out that teachers do not receive counselling. There is general assumption that teachers know what to do and must have control over the situation. Interviews with teachers found out that although there was a capacity building training on counselling – organized by one of the NGOs – and facilitated by a group of mentors comprised of female teachers in 2017, teachers were not usually targeted in the counselling as the policy provides.

“They [teachers] are expected to run the show, how then do we start counselling them. Counselling usually focuses on the teenage mothers and the rest of the students.” – Counselling Teacher, School A

“They themselves are the ones expected to counsel students. They have learned about it in teacher training colleges. Why should they be counselled?” – Head teacher, School B

Interviews with the NGO representatives and the County Education and Ministry of Education officials suggested that failure to provide counselling to the teachers could probably be the cause for stigmatization and ‘labelling’ of teenage mothers as “individuals who could not control their sexual desires”. Consistent with the findings of a study conducted by Karimi (2015), discussions with the teenage mothers established that most of the teachers were very harsh towards them as they would insult them in class whenever they did not complete assignments or did not correctly answer questions during teaching. The group revealed that sometimes teachers refer to their cases whenever they [teachers] are cautioning other students against bad sexual behaviour.

“I remember last year one of our classmates who gave birth would cry throughout the lesson because the teacher would refer to her as good for nothing girl who is ‘generous’ to boys” – Girls’ FGD

Discussions with the teenagers also revealed that there is a general assumption that all teenage mothers attained that status due to promiscuity, while there are some of the girls who went through traumatic sexual abuses. Failure by the head teachers and teachers to find out the cause of the teenage pregnancies was termed as unfair by the teenage mothers; as some of them became mothers due to circumstances that were beyond their control such as sexual abuse including rape. Birungi et al. (2015) argue that this problem could be addressed through counselling of teachers and helping them to better understand the teen mothers and how to treat them.

#### **4.5. Existing Gaps and Needs**

This research established several existing gaps and unmet needs of the young mothers that are not addressed in the re-entry policy and its implementation. Stakeholders pointed out, and this was cited as the most conspicuous gap, that the Ministry of Education has not regularly monitored the policy implementation in order to get feedback from stakeholders; this meant that the effective strategies and innovative ways of promoting education for teenage mothers have not been identified and scaled up. For instance, in School A where dialogues and feedback meetings with parents have yielded positive results in addressing attitude issues and negotiating for parental support has been identified as an innovative approach in promoting education for teenage mothers. However, the initiative has not been highlighted as a successful strategy for adoption or scale up to other secondary schools in Narok County and across the country.

“...it is obvious that the Ministry [of education] has not done its part. It should have monitored this policy and ensure adjustments and changes are made to make it more effective. NGOs cannot do that given that the donor funds are meant for programmes that run for a short period of time.” – NGO Representative

The stakeholders in this research highlighted that the monitoring of the policy implementation solely lies and should ideally be government-led but in practice the non-governmental organisations have been on the forefront pushing for the implementation and running related programmes. It was thus pointed out that NGOs are just partners and collaborators, but the whole process should be government- led.

The Ministry of Education’s representative interviewed also corroborated that there has been reluctance in the way the policy has been implemented. In addition, over the years the Ministry has not allocated funds towards the implementation of this policy although it has always done so for the National School Health Policy of 2009. All the stakeholders interviewed (except the students) reported that lack of budgetary allocations towards implementation of the policy was a gap that affected schools’ capacities to meet the educational needs of the teenage mothers. Specifically, the head teachers reported that the school financial policies were somewhat rigid and such costs could not be put in the fees structure since it is a problem that affected a few students but with societal consequences.

“Most of the heads are not bothered with the policy any longer because the Government does not make allocation for its implementation. And you know we cannot introduce that in the fees structure.” – Head teacher, School B

Interviews with representatives of non-governmental organisations revealed that, although the policy provides for teenage mothers returning to school, there is no clear focus on learning and the learning

environment which affects their ability to learn and perform well in their studies. Since the policy provides for the young mothers' return to school and counselling, stakeholders pointed out that it is easy to have the teenage mothers in class but that does not translate to effective learning and hence the need to think of their learning needs, beyond their readmission.

"I agree that a proportion of teenage mothers have returned to school, but are they really learning? That's a question that the policy cannot answer or respond to." – NGO Representative

"The policy may succeed in putting the young mothers back in class, but it does not address contextual issues such as their participation in the teaching and learning process, conscious or unconscious biases within the classroom, among other issues." –NGO Representative

Closely linked to the readmission issue, it was highlighted that the policy does not explicitly provide for the compensation of the lost time while the young mothers were away from school. Given that majority of the teen mothers are away for approximately six months or more, once they return to school they usually find that the class has made progress in terms of syllabus coverage and the teachers are not able to hold additional sessions to help them [teenage mothers] catch up with the rest of the students. Consequently, most of the young mothers who return to school struggle on their own to catch up with the rest of the students without teachers' support. Discussions with the teenage mothers established that none received support to compensate for the lost time and therefore they felt that it was a sort of punishment for getting pregnant.

"When I came back in October last year I found that they had covered the chapter on Mole Concept in Chemistry, and up to today I have never understood what that chapter is about. I guess that's how we pay for getting pregnant." – Young mothers' FGD, School B

Although the re-entry policy does not speak about recovery of the lost time and teachers' support in helping the young mothers catch up, the teenage mothers felt that it was the price they had to individually pay for getting pregnant while in school. This problem is usually caused by viewing teenage pregnancy, as Birungi et al. (2015) and Laiser and Muyinga (2017) argue, from a disciplinary perspective and not a human rights issue. Further, the young mothers reviewed that their studies have greatly been affected by the overwhelming domestic chores usually given to them by their parents whenever they are at home and thus unable to concentrate on their personal studies or complete assignments. This finding is consistent with Karimi (2015) who found out that young mothers had challenge studying in the evening or at night because they did not have space and time to concentrate within the home environment.

In some cases, the curriculum, according to one of the guidance and counselling teacher interviewed, negatively portrays pregnant teenagers and mothering young women as moral failures and who do not make to the society's expectations especially in the African society. Although the researchers did not aim at analysing the sensitivity of the curriculum towards teenage pregnancy and motherhood, observations made are worthy taking note of. There is need therefore to rethink the curriculum content and the teaching approaches used by teachers, which might call for regular capacity building of teachers to ensure that they remain sensitive to and appropriately respond to the learning needs of the teenage mothers.

"The curriculum needs to be reviewed to ensure it is gender-sensitive and it appropriately presents the pregnant teenagers and the mothering girls. We also need capacity building for our teachers to ensure they look at this issue objectively and do not bring in their judgments." – Guidance and counselling teacher, School A

Based on the present study, it can be concluded that there are challenges faced by the young mothers within the school /classroom environment including negative portrayal in the curriculum content and insensitive teaching methods used by teachers. Discussions with the adolescents revealed that academic performance of the teenage mothers was affected and they [teenage mothers] hardly concentrated in the studies or actively participated in learning activities, and this was exacerbated by being ignored or reminded of 'their past' by the teachers. While the re-entry policy provides for continuous counselling of the teenage mothers, it does not provide for special academic attention or support that they need and this, according to Fergusson & Woodward (2000) and Barmao-Kiptanui et al. (2015), leads to education underachievement.

All the interviewed stakeholders pointed out the need to address the problem of teenage pregnancy and motherhood more sustainably by focusing on the root cause of the problem which needs a more proactive approach than reactionary one. Stakeholders cited the need to equip the adolescents with the knowledge and life skills they need to appropriately take control of their sexual and reproductive health; beyond guidance and counselling as provided in the re-entry policy. By so doing, school girls can delay childbearing while the young mothers are able to avoid repeated pregnancies. One of the NGO representative interviewed in this study intimated that;

“The two ministries [Education and Health] together with other stakeholders must intervene to equip the teenagers with life skills and provide them with adolescent-friendly sexual and reproductive health information and services to enable them delay childbearing.” – NGO Representative

In order to provide the adolescents with the knowledge and life skills and sexual and reproductive health services, stakeholders highlighted the need for harmonisation of the re-entry policy with other policies such as the National Adolescent Sexual and Reproductive Health Policy of 2015 and the National School Health Policy of 2009 and collaboration between the Ministry of Education (charged with the implementation of the re-entry policy for teenage mothers and the National School Health Policy of 2009) and the Ministry of Health (charged with the implementation of the National Adolescent Sexual and Reproductive Health Policy of 2015).

Interviews with stakeholders and discussions with the adolescents pointed out that poverty was a driving force for girls to engage in early sex. Girls were reportedly engaging in transactional sex in order to acquire personal effects (such as sanitary pads) for use during school term. Stakeholders thus felt that as the government works towards addressing the problem of poverty through its various initiatives, it should also prioritise girls' menstrual hygiene since lack of sanitary pads was reported to drive girls into transactional sex.

“As the government works towards addressing poverty, there need to address the challenge of sanitary pads and poor parenting. Poverty is driving girls into sex for money to acquire those items.” – NGO Representative

“A parent can send you to school with only one packet of sanitary pads. They then put you in a *bodaboda* [motorbike] so that you are dropped to the bus stage. You end up getting money from the rider to buy what you don't have in exchange for sex.” – Girls' FGD, School B

One of the schools visited (School A) has however partnered with Afya Africa and the Office of the County First Lady to provide free sanitary pads to girls who cannot afford them. Although there has not been a study conducted to establish whether provision of free sanitary pads has led to reduction of teenage pregnancy cases, the school head teachers interviewed reported that the initiative has helped to keep girls in school who would have otherwise missed. Notably, the study revealed that contextual issues such as poverty, parenting and the gendered power relations between men and women have not been considered both in the design and implementation of the policy. Consistent with assertions made by Domenica and Jones (2007), this study confirmed that poverty is a powerful driving factor to transactional sex which mostly end up in teenage pregnancy and motherhood. As found out in the study, girls who are deprived of essential personal effects such as sanitary pads end up engaging in transactional sex so that they can obtain them; a finding that is consistent with that of UNFPA (2013) and Oruko et al. (2013). In addition, the finding that parents put their daughters on a *bodaboda* (motorbike) to be taken to school or to the nearby stage exposes them (girls) to risk of being preyed on by the *bodaboda* riders. Parental deprivation of material support to their daughters is a violation of their rights since the Kenyan Constitution 2010 stipulates that each child is entitled to parental care and support.

Finally, through review of past similar studies conducted at the county level, the researchers established that concerns have been raised regarding its contribution in reproducing gender inequality by focusing more on the young mothers than the teenage fathers. For instance, according to Kato (2015), the return to school policy has not escaped the socially constructed gendered ideologies and discourses and has implicitly set different standards on educational participation and parenting between the young mothers and child-fathers. Gender imbalance emerges in teenage motherhood as

baby fathers stay in school while the mothers drop out of school to take care of their young ones. Although the policy provides for legal action against the perpetrators (in case of adults) and probate attention (in case of minors), Onyango, Kioli and Nyambedha (2015) argue that most of the men hardly take up responsibility of providing for their babies hence leaving the burden to the young mothers only. Current findings show that both families engage in negotiations to settle cases out of court and this bred violation of the rights of the teenage mothers since no legal action is taken for the adult perpetrators and for the young men continue with their education at the expense of the baby mother. This demonstrates how patriarchal the society is as it attempts to protect men and boys as the women and girls struggles to acquire education and ultimately enjoy their rights. It obvious that the policy has not taken measures to address gender and social inequalities to ensure that schools do not become avenues for reinforcement or reproduction of social and gender inequalities.

## **5. CONCLUSION**

The present research has revealed that the return to school policy has some impressive provisions such as unconditional readmission of teenage mothers, and admission to a different school in case there are issues of stigma in their former schools. It also provides for guidance and counselling to students, teachers and parents to help them cope with the psychological impact of teenage pregnancy. Unconditional readmission ensures that discrimination and inequality is addressed. However, the policy does not comprehensively protect the teenage mothers' right to and within education. For instance, the policy does not provide for compensation of lost time and it also reinforces gender inequality by allowing teenage fathers to continue with education while the teenage mothers drop out of school to give birth.

In terms of implementation, the research established that the process has been affected by a myriad of challenges and variations exist from one school to another. In School A where the policy has been effectively implemented, six girls were readmitted, in addition to four others from different schools in the County. In School B where the implementation was deemed ineffective, only two teenage mothers were readmitted compared to thirteen (13) who dropped out of school in 2016. The ineffectiveness in School B was attributed to several factors: discrimination in the readmission of teenage mothers (based on academic or extra-curricular abilities); low parental support and stigmatisation by teachers. In School A, the administration has opened its doors to teenage mothers, innovatively came up with platforms to discuss teenage pregnancy with parents and other stakeholders and, supported the needs of the teenage mothers in school.

Several gaps were identified regarding the policy implementation. For instance, lack of physical copies of the policy document in various education stakeholders, lack of functional accountability mechanism (the government has not proactively enforced the policy) and lack of monitoring and evaluation framework and alignment to the other legal and policy frameworks. Therefore, as the primary duty bearer, the government should take lead in enforcing the policy implementation by holding the various players accountable. Further, monitoring and evaluation should be an integral part of the implementation process since it is an accountability mechanism and can also help improve the implementation process by facilitating learning overtime.

A multi-faceted collaboration is particularly required to not only promote the education rights of teenage mothers but also in preventing teenage pregnancy in the first place. These collaborative efforts, according to WHO (2002), are needed to assist pregnant and parenting teens with healthcare, education continuation and psychosocial support to ultimately enable them to make viable life decisions, delay childbearing, acquire education and address poverty-related factors.

## **REFERENCES**

- [1] Barmao-Kiptanui, C., Kindiki, J. N., & Lelan, J. K. (2015). Impact of teenage motherhood on the academic performance in public primary schools in Bungoma County, Kenya. *International Journal of Educational Administration and Policy Studies*. 7(2), 61-71.
- [2] Becker, A., Wet, A. & Vollenhoven, W. (2015). Human rights literacy: Moving towards rights-based education and transformative action through understandings of dignity, equality and freedom. *South African Journal of Education*. 35(2), 1-12.

- [3] Birungi, H., Undie, C., MacKenzie, I., Katahoire, A., Obare, F. & Machawira, P. (2015). *Education Sector Response to Early and Unintended Pregnancy: A Review of Country Experiences in Sub-Saharan Africa*. STEP UP and UNESCO Research Report.
- [4] Broberg, M. & Sano, H. (2018). Strengths and weaknesses in a human rights-based approach to international development – an analysis of a rights-based approach to development assistance based on practical experiences. *The International Journal of Human Rights*. 22(5), 664 – 680.
- [5] Chauke, P. & Khunou, G. (2014). Shaming fathers into providers: child support and fatherhood in the South African media. *The Open Family Studies Journal*. 6(Suppl 1:M2), 18-23.
- [6] CSA. (2008). *Down the drain: Counting the cost of teenage pregnancy and school drop out in Kenya*. Nairobi, Kenya.
- [7] Domenica, D.M. & Jones, K.H. (2007). Adolescent pregnancy in America: causes and responses. *The Journal of Vocational Special Needs Education*. 30(1), 4-12.
- [8] Dulock, H.L. (1993). Research Design: Descriptive Research. *Journal of Paediatric Oncology Nursing*. 10(4); 154-157.
- [9] Ellis-Sloan, K. (2014). Understanding teenage motherhood through feminist research: A reflection on the challenges. *Athenea Digital*. 14(4), 129-152.
- [10] Ferguson, A.G. (1989). School girl pregnancy in Kenya: the continuing saga. *Journal of Obstetrics and Gynaecology of East and Central Africa*. 8(1); 35-70.
- [11] Fergusson, D.M. & Woodward, L.J. (2000). Teenage pregnancy and female educational underachievement: A prospective study of a New Zealand birth cohort. *Journal of Marriage and Family*. 62(1), 147-161.
- [12] Flax, J. (1987). Post-modern and gender relations in Feminist Theory. *Journal of Women in Culture and Society*. 12(4), 621-643.
- [13] Gyan, C. (2013). The effects of teenage pregnancy on the educational attainment of girls at Chorkor, a suburb of Accra. *Journal of Educational and Social Science*. 3(3); 53-60.
- [14] Hagenars, P. (2016). Towards a Human Rights-Based and Oriented Psychology. *Psychology and Developing Societies*. 28(2), 183-202.
- [15] Jewkes, R., Morell, R., Sikweyiya, Y., Dunkle, K. & Penn-Kekana, L. (2012). Men, prostitution and provider role: Understanding the intersection of economic exchange, sex, crime and violence in South Africa. *PLOS*. 7(7), 1-10.
- [16] Karimi, E.W. (2015). *Challenges experienced by young mother learners upon re-entry to formal primary school. A case of one of the divisions of Coastal regions, Kenya*. Unpublished Master's Thesis. University of Oslo.
- [17] Kato, D.K. (2015). *Influence of teenage pregnancy on completion rates among girls in public day secondary schools in Kimilili Sub-county*. Unpublished Thesis, University of Nairobi.
- [18] Kimemia, K.A. & Mugambi, M.N. (2016). Social media and teenage pregnancy among students in secondary schools in Imenti North Sub-county, Meru County, Kenya. *International Journal of Scientific Research and Management*. 4(9); 4586-4606.
- [19] Laiser, M.L. & Musinga, E. (2017). Perceptions and experiences of educational stakeholders regarding teenage-mothers readmission in secondary schools in Tanzania Mainland. *International Journal of Science Arts and Commerce*. 1(12); 53-64.
- [20] Langille, D.B. (2007). Teenage pregnancy: trends, contributing factors and the physician's role. *Canadian Medical Association Journal*. 176(11), 1601-1602.
- [21] Macharia, J.W.M. & Kessio, D.K. (2015) Investigation of re-entry of student mothers in secondary schools in Kenya. *International Journal of Humanities Social Sciences and Education*. 2(12); 46-50.
- [22] Mbugua, N.W. (2013). *Stakeholders' roles in implementing the readmission policy on adolescent mothers in public secondary schools in kikuyu district, Kiambu County, Kenya*. Unpublished Dissertation, Catholic University of East Africa.
- [23] McCulloch, A. (2001). Teenage Childbearing in Great Britain and the Spatial Concentration of Poverty Households. *Journal of Epidemiology & Community Health*. 55(1), 16-23.
- [24] Mchunu, G., Pelter, K., Tutshana, B. & Sentlwadi, L. (2012). Adolescent Pregnancy and associated factors in South African Youth. *African Health Sciences*. 12(4), 426-434.
- [25] Mollborn, S., Domingue, B.W. & Boardman, J.D. (2014). Norms as Group-Level Constructs: Investigating School-Level Teen Pregnancy Norms and Behaviours. *Social Forces*. 93(1), 241–267.
- [26] Mollburn, S. & Morningstar, E. (2009). Investigating the relationship between teenage childbearing and psychological distress using longitudinal evidence. *Journal of Health and Social Behaviour*. 50(3), 310-326.

- [27] Morara, A.N. & Chemwei, B. (2013). Drop out among pupils in rural primary schools in Kenya: The case of Nandi North District, Kenya. *Journal of Education and Practice*. 4(19); 1-12.
- [28] Mothiba, T.M., Maputle, M.S. & Maria, S. (2012). Factors affecting the adolescent pregnancy rate in the Capricon District of the Limpopo District. *Curationis*. 35(1), 1-5.
- [29] Mushwana, L., Monareng, L., Ritcher, S. & Muller, H. (2015). Factors affecting the adolescent pregnancy rate in the Greater Giyani Municipality, Limpopo Province – South Africa. *International Journal of Africa Nursing Sciences*. 2, 10-18.
- [30] Mwenje, J.W. (2015). *Implementation of re-entry policy for adolescent mothers in public secondary schools: A case of Nakuru County, Kenya*. Unpublished Thesis, Kenyatta University.
- [31] Mwenje-Macharia, J.W. & Kessio, D.K. (2015). Investigation of re-entry of student mothers in secondary schools in Kenya. *International Journal of Humanities Social Sciences and Education*. 2(12), 46-50.
- [32] Omwancha, K.M. (2012). *The implementation of an educational re-entry policy for girls after teenage pregnancy: A case study of public secondary schools in Kuria District, Kenya*. Unpublished Dissertation, Victoria University of Wellington.
- [33] Onyango, G.O., Kioli, F.N. & Nyambedha, E.O. (2015). Challenges of School Re-entry among Teenage Mothers in Primary Schools in Muhoroni District, Western Kenya. *SSRN Electronic Journal*. PP 1-11.
- [34] Oruko, K., Nyothach, E., Zielinski-Gutierrez, E., Mason, L., Alexander, K., Vulule, J., Laserson, K.F., & Phillips-Howard, P.A. (2015). ‘He is the one who is providing you with everything so whatever he says is what you do’: A Qualitative Study on Factors Affecting Secondary Schoolgirls’ Dropout in Rural Western Kenya. *PLoS ONE* 10(12).
- [35] Parnarouskisa, L., Stevenson, A., Langea, B.C.L., Pullenb, S.J., Petruzzia, L.J., Dominguezc, S., Quiteriod, N., Harrise, B., Lekpehe, G.G., Manobahe, B., Hendersonf, D.C. & Borbag, C.P.C. (2017). The impact of transactional sex with teachers on public school students in Monrovia, Liberia – a brief report. *Vulnerable Child Youth Study*. 12(4): 328–333.
- [36] Parsitau, D.S. (July 25, 2017). How girls’ education intersects with Maasai culture in Kenya. Link: <https://www.brookings.edu/blog/education-plus-development/2017/07/25/how-girls-education-intersects-with-masai-culture-in-kenya/>
- [37] Pricilah, S., Nyang’au, T. & Chang’ach, J.K. (2014). Barriers to Effective Parental Participation in Teenage Mothers’ Education in Mixed Day Secondary Schools: A Case of Wareng’ District, Uasin Gishu County, Kenya. *Journal of Emerging Trends in Educational Research and Policy Studies*. 5(2): 133-139.
- [38] Ray, R. (1999). How child labour and child schooling interact with adult labour. Policy Research Working Paper. WPS 2179.
- [39] Rosenberg, M., Pettifor, A., Miller, W.C., Thirumurthy, H., Emch, M., Afolabi, S.A., Kahn, K., Collinson, M. & Tollman, S. (2015) Relationship between school dropout and teen pregnancy among rural South African young women. *International Journal of Epidemiology*. 44(3); 928-936.
- [40] Rozas, L.W. & Garran, A.N. (2016). Towards a human rights culture in social work education. *British Journal of Social Work*. 46, 890-905.
- [41] Sandoy, I.F., Mudenda, M., Zulu, J., Munsaka, E., Blystad, A., Makasa, M.C., Maestad, O., Tungodden, B., Jacobs, C., Kampata, L., Fylkesnes, K., Svanemyr, J., Moland, K.M., Banda, R., & Musonda, P. (2016). Effectiveness of a girls’ empowerment programme on early childbearing marriage and school dropout among adolescent girls in rural Zambia: study protocol for a cluster randomized trial. *Trials*. 17: 588.
- [42] Senanayake, S. (2011, May 4). Education for women and girls a lifeline to development [Blog Post]. Retrieved from: [https://www.unicef.org/media /media\\_58417.html](https://www.unicef.org/media /media_58417.html)
- [43] Shahidul, S.M. & Karim, A.H.M.Z. (2015). Factors contributing to school dropout among the girls: A review of literature. *European Journal of Research and Reflection in Educational Sciences*. 3(2); 25-36.
- [44] Sotonye-Frank, G.M. (2015). *A critical examination of the suitability of a human rights-based approach for implementing girls’ rights to education in Nigeria*. Unpublished Thesis, University of Leicester, UK.
- [45] Sulo, P., Nyang’au, T. & Chang’ach, J.K. (2014) Barriers to Effective Parental Participation in Teenage Mothers’ Education in Mixed Day Secondary Schools: A Case of Wareng’ District, Uasin Gishu County, Kenya. *Journal of Emerging Trends in Educational Research and Policy Studies*. 5(2): 133-139.
- [46] Thompson, A. (2003). Caring in context: Four Feminist Theories on Gender and Education. *Curriculum Inquiry*. 33(1), 9-65.
- [47] Undie, C., Birungi, H., Odwe, G. & Obare, F. (2015). *Expanding Access to Secondary School Education for Teenage Mothers in Kenya: A Baseline Study Report*. STEP UP Technical Report. Nairobi.



- [48] Undie, C., Mackenzie, I., Birungi, H., Barongo, S., Ahindikha, D. & Omondi, C. (2015). *Education sector response to early and unintended pregnancy: A policy dialogue in Homa Bay County, Kenya*. STEP UP Meeting Report. Nairobi.
- [49] UNESCO. (2014). *UNESCO Education for All Global Monitoring Report 2013/14: Teaching and Learning: Achieving quality for all – Gender Summary*. UNESCO, Paris.
- [50] UNFPA (2017). Adolescent pregnancy. Retrieved 4 July 2017, <https://www.unfpa.org/adolescent-pregnancy>
- [51] UNFPA. (2013). *Adolescent pregnancy: A review of the evidence*. New York: UNFPA.
- [52] UNICEF (January 2018). *The highest rates of early childbearing are found in sub-Saharan African countries*. [Blog Post] <https://data.unicef.org/topic/maternal-health/adolescent-health/#>
- [53] UNICEF. (2016). *Female Genital Mutilation / Cutting: A global concern*. UNICEF, New York
- [54] UNICEF. (2007). *A human rights-based approach to education*. UNESCO, New York.
- [55] Wanyama, E.G.A. & Simatwa, E.M.W. (2011). Prospects and challenges in the implementation of re-entry policy of girls in secondary schools in Kenya: A case study of Emuhaya District. *Educational Research*. 2(8), 1373-1390.
- [56] Wekesa, A.N. (2010). *Bending the private-public gender norms: negotiating schooling for young mothers from low-income households in Kenya*. Unpublished Research Paper. International Institute of Social Sciences, Netherlands.
- [57] Wekesa, V. (2014). Re-Admission Policy and Kenya Certificate of Secondary Education Performance in Bungoma North Sub-County, Kenya. *International Journal of Innovative Research & Development*. 3(7); 436-441.
- [58] World Bank. (2018). *World Development Report 2018: Learning to Realize Education's Promise*. Washington, DC: World Bank. doi:10.1596/978-1-4648-1096-1. License: Creative Commons Attribution CC BY 3.0 IGO
- [59] World Bank. (2018). *The World Bank Group (WBG) and Adolescent Girls' Education Factsheet*. Washington, DC: World Bank.

### AUTHORS' BIOGRAPHY



Meshack Mutua is an Evaluation Specialist with interests in gender, education and development. His research work has mainly focused on understanding how gender determine and shape education and sexual and reproductive health access in Low – and Middle – Income Countries (LMICs).



Janet Muthoni Miriti is a Researcher. Her interests revolve around adolescent sexual and reproductive health and early childhood development. As an independent consultant, she has conducted numerous health and development – related studies in the Horn of Africa.



Shiro Mogeni is a Lecturer with great interest in health laws and children's rights advocacy. She has published widely in her areas of interests and consulted for various governmental and non-governmental organizations in Kenya.

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